

Message

From: Starfield, Lawrence [Starfield.Lawrence@epa.gov]
Sent: 4/5/2017 1:09:42 AM
To: Shinkman, Susan [Shinkman.Susan@epa.gov]
CC: Cozad, David [Cozad.David@epa.gov]; Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Fogarty, Johnpc [Fogarty.Johnpc@epa.gov]; Welles, Laura [Welles.Laura@epa.gov]
Subject: RE: EPA/Whole Foods Market Administrative Settlement

I'm comfortable with you submitting an email to the board with that statement. It's clearly a good case.

Thanks.

Larry

Sent from my Windows Phone

From: Shinkman, Susan
Sent: 4/4/2017 7:29 PM
To: Starfield, Lawrence
Cc: Cozad, David; Kelley, Rosemarie; Fogarty, Johnpc; Welles, Laura
Subject: EPA/Whole Foods Market Administrative Settlement

Larry,

There was another conference call between the parties and the EAB today regarding the Whole Foods Market consent agreement that was signed by the parties the week of January 16th and filed with the EAB on January 23rd. Since the signing occurred before the change in administration and the filing happened immediately afterwards, the EAB is requesting a written (short email or supplemental memo) assurance from me that states that the "OCE Director is authorized to approve and submit the Whole Foods CAFO to the Board for ratification pursuant to 40 C.F.R. 22.18(b)." It's my understanding that the EAB wants this assurance in writing so that it is in the record.

If you recall, we briefed this settlement to Justin Schwab on February 10th and he was ok with it. Attached is the February 10th briefing document.

The EAB is requesting that OCE submit the email or supplemental memo with the above statement to the board by this Thursday (April 6th). If we cannot meet this deadline, we'll need to let the EAB know that we need additional time.

Let us know if you have any questions.

Thanks,
Susan

Susan Shinkman
Director, Office of Civil Enforcement
U.S. Environmental Protection Agency
Washington, DC
202-564-3257

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